

UNITED STATES DISTRICT COURT
OF SOUTH CAROLINA,
FLORENCE DIVISION, HORRY COUNTY

UNITED STATES OF AMERICA,

Vs.

CASE NO.: 4:25-cv-41-SAL

MERIT TRANSPORTATION, INC.

_____,

COMPLAINT

Plaintiff, the United States of America, by and through its attorney, Eric Hale, Esq., hereby sets forth its Complaint against Defendant, Merit Transportation, Inc., and states as follows:

1. Jurisdiction of this action is conferred on the Court by 28 U.S.C. §1345.
2. Plaintiff is the United States of America, acting through the Department of the Treasury's Bureau of the Fiscal Service (hereinafter "Treasury") on behalf of the Department of Labor (hereinafter "DOL"). The debt was referred to the Treasury in accordance with the Debt Collections Improvement Act of 1996 (DCIA) (31 U.S.C. § 3701 *et seq.*)
3. Defendant, Merit Transportation, Inc.'s last known address is 528 Piedmont Ave, Myrtle Beach, South Carolina 29577, hereinafter "Defendant".
4. Between the dates of January 8th, 2017, and June 3rd, 2018, the Secretary of Labor, through

the Wage and Hour Division of the United States DOL conducted an investigation of Defendant under the Fair Labor Standards Act. As a result of the investigation, it was found that 11 employee(s) were due back wages in the amount of \$7,949.95.

5. On June 11, 2018, Defendant was provided a Summary of Unpaid Wages from the DOL which outlined each employee that was due back wages as well as the period covered by work week ending dates and the total amount due. See **Exhibit "A"** attached hereto and incorporated herein.
6. Defendant executed the Summary of Unpaid Wages on June 12, 2018, whereby Defendant agreed to pay the listed employees the amount due as set forth in the Summary of Unpaid Wages. **Exhibit "A"** *supra*.
7. The debt became delinquent on January 9, 2019.
8. Thereafter, DOL made demand upon Defendant seeking payment for the total amount due and advised Defendant that additional collection and court costs may be incurred by the DOL in pursuit of collection. Defendant was advised that defaulted balances were subject to assessment of interest and penalty interest at rates determined by the Treasury as required by the Debt Collections Improvement Act of 1996 (DCIA) (31U.S.C. § 3701 *et seq.*)
9. Defendant failed to satisfy the agreement and the unpaid balance was referred by DOL to Treasury's Bureau of the Fiscal Service, Debt Management Services (DMS) to collect the delinquent debt on July 20, 2019.
10. As of December 4, 2024, the Defendant is indebted to Plaintiff in the amount of \$15,605.86 as set forth in the Certificate of Indebtedness attached hereto and incorporated herein as **Exhibit "B"**. Certification

is pursuant to 28 U.S.C. § 1746.

11. Defendant is indebted to Plaintiff in the amount of \$15,605.86 and has failed to pay the aforementioned sum although demand has been duly made.

WHEREFORE, the United States respectfully request that this Court enter a judgment against Defendant in the amount of \$15,605.86 and any other relief such as the Court may deem just and proper.

Date: January 3, 2025

SCHUERGER LAW GROUP

/s/Eric C. Hale, Esq.

Eric Hale (Federal Bar #9404)

On behalf of Schuerger Law Group

Private Counsel, U.S. Department of Justice

1044 Wildwood Centre Drive

Columbia, SC 29229

(803) 726-3558 – Tel:

Email: ehale@schuergerlaw.com

Copies to: efiling@schuergerlaw.com

Attorney for Plaintiff United States of America